

ATTACHMENT

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
IN RE BAYOU HEDGE FUNDS INVESTMENT :
LITIGATION :
:
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No. 06 MDL 1755 (CM)

THIS DOCUMENT RELATES TO:
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BROAD-BUSSEL FAMILY LIMITED :
PARTNERSHIP, MARIE-LOUISE :
MICHELSON, MICHELLE MICHELSON, an :
HERBERT BLAINE LAWSON, JR., Individually :
and on Behalf of All Other Persons and Entities :
Similarly Situated, :
:

No. 06 Civ. 3026 (CM)

Plaintiffs,

- against -

BAYOU GROUP LLC, et al.,

Defendants.
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DECLARATION OF DANIEL J. BUSSEL

I, Daniel J. Bussel, declare under penalty of perjury under the laws of the United States of America as follows:


1. I am the corporate Secretary and a principal of Broad-Bussel Enterprises Inc., the sole general partner of Broad-Bussel Family Limited Partnership ("Broad-Bussel Family"), one of the named representative class action plaintiffs in the above litigation, No. 06 Civ. 3026 (CM). I am authorized to make this Declaration on behalf of Broad-Bussel Family.

2. I have read the Notice to All Parties and Counsel ("Notice") and the Response to

April 19, 2007 Letter ("Response") filed in these proceedings by the Honorable Colleen McMahon on April 17 and April 20, 2007, respectively. I have also corresponded with Broad-Bussel Family's counsel regarding same. I am submitting this Declaration in light of the request in the Response for a further formal written statement from a principal of Broad-Bussel Family.

3. Broad-Bussel Family (a) understands that it has an absolute right to seek *vacatur* of the September 7, 2006 decision issued by Judge McMahon which dismissed Citibank, N.A. as a defendant in this litigation; (b) understands that any such application to seek *vacatur* would be heard by a judge other than Judge McMahon, and that Judge McMahon would have no input in that other judge's decision; (c) appreciates that it must either seek *vacatur* on the grounds of Judge McMahon's indirect beneficial holding of the common stock of Citigroup, Inc., the corporate parent of defendant Citibank, N.A., now, or be barred forever from challenging Judge McMahon's September 7, 2006 decision on the basis of this indirect beneficial holding of the common stock of Citigroup, Inc. in the future; and (d) voluntarily and freely waives its right to seek *vacatur* of Judge McMahon's September 7, 2006 decision. I add, however, that the foregoing waiver is limited solely to the conflict of interest described in the Notice and Response and is without prejudice to Broad-Bussel Family's rights to challenge the September 7, 2006 decision on any and all other grounds, including the merits, on appeal from a judgment of the Court or otherwise.

Dated: May 2, 2007


Daniel J. Bussel